

Message Text

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C O N F I D E N T I A L BAGHDAD 0353

E.O. 11652: GDS
TAGS: PINR, PINT, IZ
SUBJECT: ACTION AGAINST IRAQI LAWYERS

1. A RECENT REVOLUTIONARY COMMAND COUNCIL RESOLUTION ANNOUNCED THAT ALL PROPERTY OF 13 IRAQI LAWYERS HAS BEEN SEIZED AND THAT THEY ARE PROHIBITED FROM PRACTICING LAW. RESOLUTION ALSO BARRED THEM FROM REPRESENTING ANY IRAQI OR FOREIGN COMPANIES, WHICH SEEMS TO INDICATE AT LEAST PARTIAL NATURE OF COMPLAINT AGAINST THE LAWYERS. ALTHOUGH MOST OF THEM ARE UNKNOWN TO USUAL BUSINESS CONTACTS, ONE LAWYER WAS REPRESENTING SEVERAL LARGE JAPANESE FIRMS. USINT OFFICER WAS ALSO TOLD THAT SOME OF THE THIRTEEN WERE ACCUSED OF USING THEIR FAMILY AND PARTY CONNECTIONS TO INFLUENCE DECISIONS IN COURT CASES THEY WERE HANDLING. ONE SOURCE BELIEVES THEY ARE NOW BEING HELD IN A PRISON AT ERBIL.

2. NAMES OF LAWYERS ARE HAMID ISMAIL IBRAHIM AL-ANI, JASIM MUHAMMAD TU'AMI AL-BADRI, ISMAIL AL-AMIRI, LU'AY ABDULLA AL-SAIDI, FAISAL ABD NAJM AL-ABDALI, ISAM TALA'AT QADRAT, RAHIM WAHL SHADHER, FAISAL HABIB KHAIZARAN, ALI
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AL-SHUJAIRI, MUHSIN NUR AL-ADHARI, MAHMOUD AL-ALI, ABDUL RAZZAK ABDUL QADAR AL-HADITHI.

3. COMMENTING ON ACTIONS TAKEN AGAINST THE LAWYERS, BAGHDAD UNIVERSITY LAW PROFESSOR WITH HIGH LEVEL BAATH PARTY CONNECTIONS SAID THAT REASON FOR PUNISHMENT WAS ABUSE OF POLITICAL POSITION FOR PERSONAL FINANCIAL GAIN.

SOURCE CONFIRMED THAT NEARLY ALL OF THE THIRTEEN LAWYERS WERE MEMBERS OF BAATH PARTY.

4. UNSIGNED FRONT PAGE EDITORIAL IN BAATH PARTY DAILY AL-THAWRA COMMENTED THAT PARTY WOULD NOT TOLERATE EFFORTS TO EXPLOIT ITS GOOD NAME FOR PERSONAL GAIN. HIGH MORAL BEHAVIOR, SAID THE EDITORIAL, IS A CONDITION FOR CONTINUED MEMBERSHIP IN THE PARTY WHICH REPRESENTS ALL IRAQI NATIONALS, WHETHER OR NOT THEY HAVE PARTY TIES.

5. COMMENT: THIS IS NOT THE FIRST EXAMPLE OF RATHER HARSH PUBLIC PUNISHMENT BEING IMPOSED ON PARTY MEMBERS. IN THEORY AT LEAST, LEGAL PENALTIES FOR BAATHIS ARE SUPPOSED TO BE DOUBLE THOSE OF NON-PARTY MEMBERS. ACTUAL PRACTICE IS NOT SO CLEARLY MARKED BY NOBLESSE OBLIGE, AND WE HEAR MANY RUMOR OF FAVORED TREATMENT. NONETHELESS, IRAQ IS RELATIVELY CLEAN OF THE TYPE OF DAILY CORRUPTION WHICH CHARACTERIZES MID-EASTERN SOCIETIES. BAATH CAN TAKE SOME CREDIT FOR THIS, AND PUNISHMENT OF THIRTEEN LAWYERS SHOULD SERVE AS AN EXAMPLE TO OTHER PARTY MEMBERS WHO MAY BE TEMPTED TO LINE THEIR OWN POCKETS OR THOSE OF CLOSE RELATIVES.

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